

GARBERMEYER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

FTC Capital Markets, Inc.,
FTC Emerging Markets, Inc., also d/b/a FTC Group,
Guillermo David Climente,
Lina Lopez t/k/a Nelly Cucumbe Lopez,

ECF Case

09 Civ. 4755 (PGG)

Defendants.

STIPULATION AND ORDER

It is hereby stipulated and agreed that paragraph 6 of the Stipulation and Order entered on August 7, 2009 be amended as follows:

(6) This order shall exclude account #11405065 in the name of FTC Emerging Markets, Inc., which is subject to a Warrant Of Seizure In Rem Pursuant to 18 U.S.C. §§ 981 and 984 issued by the Southern District of New York on May 26, 2009. With the exception of account #11405065, all other accounts listed in paragraphs (3) through (5), together with all cash and/or money market funds held in the remaining brokerage accounts that are subject to the June 29 Order are to be consolidated into a single interest bearing account at each institution pending final disposition of this action.

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DATE FILED: <i>9/8/09</i>

Stipulated And Agreed To By:

SECURITIES AND EXCHANGE
COMMISSION

By:

JACK KAUFMAN (JK-3050)
STEVEN G. RAWLINGS (SR-0623)
RHONDA JUNG (RJ-3864)

Attorneys for Plaintiff

FOX HORAN & CAMERINI LLP

By:

WILLIAM M. BRODSKY (WB 4398)
V. DAVID RIVKIN (VR 6734)

Attorneys for Defendants

SO ORDERED:

Paul G. Gardephe

PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE

September 8, 2009
New York, New York